

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Trevor Hackett	Team: Squad #13	CCRB Case #: 201905976	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 07/04/2019 3:15 PM	Location of Incident: Southwest corner of John Street and South Street	Precinct: 01	18 Mo. SOL 1/4/2021	EO SOL 8/21/2021	
Date/Time CV Reported Mon, 07/08/2019 9:44 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Mon, 07/08/2019 9:44 PM		
Complainant/Victim	Type	Home Address			
Witness(es)	Home Address				
Subject Officer(s)	Shield	TaxID	Command		
1. DTS Dmitriy Shery	00676	940737	LIC DIV		
Officer(s)	Allegation			Investigator Recommendation	
A.DTS Dmitriy Shery	Abuse: Detective Dmitriy Shery refused to provide his shield number to § 87(2)(b)				

Case Summary

On July 8, 2019, § 87(2)(b) filed this complaint via the CCRB website.

On July 4, 2019, at approximately 3:15 p.m., § 87(2)(b) and her husband, § 87(2)(b) were walking toward the intersection of South Street and John Street in Manhattan. Detective Dmitriy Shery of the License Division was posted at the southwest corner of the intersection, which was barricaded. § 87(2)(b) approached Det. Shery and asked for directions to their designated viewing area for the 4th of July fireworks. Det. Shery said she could not enter at that location and allegedly refused to provide his shield number upon § 87(2)(b)'s request (**Allegation A – Abuse of Authority**, § 87(2)(g)). No arrest or summons resulted from this incident.

Det. Shery was not equipped with a Body Worn Camera at the time of the incident. There is no video evidence in this case.

Findings and Recommendations

Allegation (A) Abuse: Detective Dmitriy Shery refused to provide his shield number to § 87(2)(b)

It is undisputed that § 87(2)(b) spoke with Det. Shery and asked him to provide his shield number. § 87(2)(g)

§ 87(2)(b) testified that she approached Det. Shery to ask where she and § 87(2)(b) could enter their designated viewing area for the 4th of July firework show. § 87(2)(b) attempted to ask for directions three times, but Det. Shery interrupted her each time and told her she could not enter at that location. Det. Shery yelled at § 87(2)(b) asked her why she was still there, and stepped towards her. § 87(2)(b) and § 87(2)(b) felt intimidated by Det. Shery's demeanor and walked away, but decided they wanted to file a complaint and returned after approximately one minute. § 87(2)(b) asked Det. Shery to provide his shield number. Det. Shery looked at § 87(2)(b) but did not respond verbally or physically. § 87(2)(b) waited for Det. Shery to respond for approximately five to ten seconds before she and § 87(2)(b) walked away. Det. Shery was alone when § 87(2)(b) requested his shield number (**Board Review 1**). Neither § 87(2)(b) nor § 87(2)(b) took any video of the incident.

Det. Shery testified that he was posted at the entrance to a frozen zone, which was fenced off and closed to the public. § 87(2)(b) identified by the investigation, approached Det. Shery and said she wanted to enter the area to view the fireworks. Det. Shery said that he was not allowed to let anyone enter the frozen zone. § 87(2)(b) demanded to be let into the area three times and became increasingly irate. § 87(2)(b) left briefly, but returned and threatened to "retaliate" against Det. Shery. § 87(2)(b) asked Det. Shery for his name and shield number, which he verbally provided. § 87(2)(b) walked away and spoke with § 87(2)(b) identified by the investigation, who was recording the conversation on his cell phone (**Board Review 2**).

§ 87(2)(b) provided a phone statement which was consistent with § 87(2)(b)'s testimony. § 87(2)(b) approached Det. Shery with § 87(2)(b) and was standing behind § 87(2)(b) when she asked Det. Shery to provide his shield number. Det. Shery, who was alone, "glared" at § 87(2)(b) but did

not respond verbally or physically. § 87(2)(b) and § 87(2)(b) waited for five to ten seconds for Det. Shery to respond, but he did not, so they walked away (**Board Review 3**).

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party (**Board Review 4**).
- Det. Shery has been a member of service for 13 years and has been a subject in 12 additional CCRB complaints and 22 allegations, none of which were substantiated. § 87(2)(g)

§ 87(2)(g)

Mediation, Civil and Criminal Histories

- § 87(2)(b) declined to mediate this complaint.
- As of August 23, 2019, § 87(2)(b) had not filed a Notice of Claim regarding this incident (**Board Review 5**).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad No.: 13

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date